

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.8967 of 2003

Between:

- 1 Kalla Dharma Raju, S/O. Pentayya,
R/O. D.No. 7-44-1, Sri Radha Krishna, Employees Colony,
Satyavathi Nagar, Tadepalligudem.
- 2 Smt. Satti Surya Kumari, W/O. Venkata Jagan Mohan Reddy,
R/O. D.No. 10-1-13, Tallmudunurpadu,
Tadepalligudem.
- 3 A. Sambasiva Rao S/O. Tavitanna,
Param Jyothi Road, 2nd Ward, Tadepalligudem.
- 4 G.N. Sasanka, S/O. Prasad,
Old Town, 19th Ward, Tadepalligudem.
- 5 Ch. Ramakrishna Rao S/O. Venkateswara Rao
L.I.G-I D.No. 70, A.P.H.B. Colony, Tadepalligudem.
- 6 G. Chandra Sekhar, S/O. Rama Rao,
Kobbari Thota, 28th Ward, Tadepalligudem.
- 7 Smt. G. Sridevi, W/O. Narasimha Rao,
D.No. 4-50-2/2, Near Rocket Park, Tadepalligudem.
- 8 N. Satyanarayana S/O. Yella Rao,
14th Ward, Tadepalligudem.
- 9 S. Srinivas S/O. Venkateswara Rao
Mahalakshmi Nagar, Road No. 3,
Tadepalligudem.
- 10 Karanam Srinivasa Rao S/O. Subba Rao
Seetaram Peta, 27th Ward,
Tadepalligudem.

..... PETITIONERS

AND

- 1 The Tadepalli Gudem Municipality, Rep. by Its Commissioner,
Municipal Office, Tadepalligudem, West Godavari District.

2 The Chair-Person, Tadepalligudem, Municipal Council, Municipal
Office, Tadepalligudem, West Godavari District.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in issuing the fresh tender notification NO. 760/2000/E2 dated 29-4-2003 for the works as detailed in the annexure appended to the petition calling for afresh tenders despite the fact that for the same works under the tender notification No. 760/2000/E2 dated 21-02-2003 the petitioners became the successful bidders as illegal, arbitrary, malafide, unjust and against the principals of natural justice and consequently direct the respondent to award the works mentioned in the annexure to the respective petitioners.

Counsel for the Petitioners: MR.K.VENKATA RAMAIAH (Not present)

Counsel for the Respondents: MR.E.SAMBASIVA PRATAP (SC FOR MUN.)

The Court made the following:

ORDER:

This writ petition is filed seeking to declare the action of the respondents in issuing fresh tender Notification No. 760/2000/E2 dated 29-4-2003, despite the fact that for the same works under the tender notification No. 760/2000/E2 dated 21-02-2003 the petitioners became the successful bidders, as illegal and arbitrary and consequently to direct the respondents to award the works to the respective petitioners.

When the matter is taken up today for hearing, none appears for the petitioners. Learned Standing Counsel for respondent-Municipality submits that by lapse of time the prayer in the writ petition has become infructuous.

Recording the said submission, the writ petition is dismissed as having become infructuous. No costs.

N.V. RAMANA, J.

Date: 16.06.2005

Nsr

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Commissioner,
Tadepalli Gudem Municipality, Municipal Office, Tadepalligudem,

West Godavari District.

2 The Chair-Person, Tadepalligudem, Municipal Council, Municipal
Office, Tadepalligudem, West Godavari District.

3 2 CD copies